

## Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 NEA-10 ADP-00 IO-13 SS-15 L-03 H-03

NSC-10 OIC-04 DOTE-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 SSO-00 NSCE-00 INRE-00

PA-03 PRS-01 USIE-00 RS-01 /120 W

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O R 281957Z AUG 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC NIACT IMMEDIATE 461

INFO AMEMBASSY TEL AVIV

AMEMBASSY BEIRUT

USMISSION USUN

C O N F I D E N T I A L ROME 8809

E.O. 11652: GDS

TAGS: ICAO, ETRN, PFOR

SUBJECT: CIVAIR: ROME CONFERENCE/ASSEMBLY

FROM AMBASSADOR ROUNTREE

REF: ROME 8762

1. AS REPORTED REFTEL I BEGAN CONSULTATIONS THIS MORNING WITH LEBANESE DELEGATE, KHALIL HADDAD, WITH MAIN OBJECT OF ENCOURAGING MODERATION IN ARAB POSITION VIS-A-VIS ISRAEL. I SPECIFICALLY URGED THAT ARABS NOT SEEK SANCTIONS AGAINST ISRAEL OR MAKE PROPOSALS WHICH WOULD OTHERWISE DESTROY UNANIMITY GAINED IN UNSC AND MONTREAL ICAO COUNCIL MEETINGS. FOLLOWING THIS MEETING I PROVIDED TO HADDAD COPY OF LEGAL DOCUMENT PREPARED BY US DEL LAWYERS ARGUING AGAINST LEGALITY OF SOUTH AFRICAN TYPE PENALTY APPLIED TO ISRAEL.

2. I WAS IMPRESSED WITH HADDAD'S MODERATION

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AND APPARENT DETERMINATION TO EXERCISE CONSTRUCTIVE

INFLUENCE UPON ARAB DELEGATES. I SAW HADDAD AGAIN THIS EVENING AND FROM HIS REPORT IT SEEMS CLEAR HE HAS SUCCEEDED TO A GRATIFYING DEGREE. HE GAVE ME A COPY OF THE PROPOSED RESOLUTION WHICH HE SAID ALL ARAB DELEGATES NOW PREPARED TO ACCEPT.

3. TEXT IS AS FOLLOWS:

QTE FORCIBLE DIVERSION AND SEIZURE ON 10 AUGUST 1973 BY ISRAELI MILITARY AIRCRAFT OF LEBANESE CIVIL AIRCRAFT THE ASSEMBLY,  
HAVING CONSIDERED THE ITEM CONCERNING THE FORCIBLE DIVERSION AND SEIZURE BY ISRAELI MILITARY AIRCRAFT ON 10 AUGUST 1973 OF A LEBANESE CIVIL AIRCRAFT CHARTERED BY IRAQI AIRWAYS;

CONSIDERING THAT ISRAEL, BY THIS ACTION, VIOLATED LEBANESE AIRSPACE, JEOPARDIZED AIR TRAFFIC AT BEIRUT CIVIL AIRPORT AND COMMITTED A SERIOUS ACT OF UNLAWFUL INTERFERENCE WITH INTERNATIONAL CIVIL AVIATION;

NOTING THAT THE UNITED NATIONS SECURITY COUNCIL, BY ITS RESOLUTION 337 (1973) ADOPTED ON 15 AUGUST 1973, HAS CONDEMNED ISRAEL FOR VIOLATING LEBANON'S SOVEREIGNTY AND FOR THE FORCIBLE DIVERSION AND SEIZURE OF A LEBANESE CIVIL AIRCRAFT AND HAS CALLED ON ICAO TO TAKE DUE ACCOUNT OF THE ABOVE-MENTIONED RESOLUTION WHEN CONSIDERING ADEQUATE MEASURES TO SAFEGUARD INTERNATIONAL CIVIL AVIATION;

NOTING THAT THE ICAO COUNCIL, ON 20 AUGUST 1973, CONDEMNED ISRAEL FOR ITS ACTION;

RECALLING THAT THE UNITED NATIONS SECURITY COUNCIL IN ITS RESOLUTION 262 IN 1968 CONDEMNED ISRAEL FOR ITS PREMEDITATED ACTION AGAINST BEIRUT CIVIL AIRPORT WHICH RESULTED IN THE DESTRUCTION OF THIRTEEN COMMERCIAL AND CIVIL AIRCRAFT, AND RECALLING THAT THE ASSEMBLY OF ICAO IN ITS RESOLUTION A19-1 CONDEMNED THE ISRAELI ACTION WHICH RESULTED IN THE LOSS OF 108 INNOCENT LIVES AND THAT THE COUNCIL, BY ITS RESOLUTION OF 4 JUNE 1973, STRONGLY CONDEMNED THE ISRAELI ACTION AND URGED ISRAEL TO COMPLY WITH THE AIMS AND OBJECTIVES OF THE CHICAGO CONVENTION;

1) STRONGLY CONDEMNS ISRAEL FOR VIOLATING  
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LEBANON'S SOVEREIGNTY AND FOR THE FORCIBLE DIVERSION AND SEIZURE OF A LEBANESE CIVIL AIRCRAFT;

2) URGENTLY CALLS UPON ISRAEL TO DESIST FROM COMMITTING ACTS OF UNLAWFUL INTERFERENCE WITH INTERNATIONAL CIVIL AIR TRANSPORT AND AIRPORTS AND OTHER FACILITIES SERVING SUCH TRANSPORT;

3) SOLEMNLY WARNS ISRAEL THAT IF IT CONTINUES COMMITTING SUCH ACTS THE ASSEMBLY WILL TAKE FURTHER

MEASURES TO PROTECT INTERNATIONAL CIVIL  
AVIATION AGAINST ISRAEL. UNQTE

4. I WOULD APPRECIATE RECEIVING MOST  
URGENTLY DEPT COMMENTS ON FOREGOING DRAFT. I HOPE  
COMMENTS WOULD INDICATE DEGREE OF IMPORTANCE ANY  
SUGGESTED CHANGES, HOPEFULLY PROVIDING TO ME MAXIMUM  
FLEXIBILITY IN NEGOTIATIONS. IN MAKING SUGGESTIONS,  
I KNOW DEPT WILL APPRECIATE NATURE OF ICAO ASSEMBLY  
AS CONTRASTED WITH MORE SELECTIVE CHARACTER OF UNSC  
AND ICAO COUNCIL. THE DECISION UPON ANY SUCH RESOLUTION  
WILL BE TAKEN BY SIMPLE MAJORITY IN ASSEMBLY WHICH IS  
HEAVILY DOMINATED BY THIRD WORLD.

5. DEPT WILL APPRECIATE THAT IN CIRCUMSTANCES  
PREVAILING HERE IT IS HIGHLY IMPORTANT THAT I HAVE BY  
MORNING 29 AUGUST LOCAL TIME AT LEAST SOME INDICATION  
OF DEPT'S REACTION.

6. WHILE US DEL HAS NOT HAD OPPORTUNITY FOR  
CAREFUL STUDY OF LEBANESE DRAFT RESOLUTION OUR INITIAL  
REACTION IS AS FOLLOWS: (A) OUR ABILITY TO ACCEPT A  
RESOLUTION SUBSTANTIALLY ALONG THE LINES PROPOSED, AND  
WILLINGNESS OF ARAB DELEGATIONS TO ACCEPT CHANGES WHICH  
WE STRONGLY DESIRE WOULD PERMIT MOST FAVORABLE POSSIBLE  
DISPOSITION OF THIS HIGHLY TROUBLESOME ISSUE WHICH  
OTHERWISE COULD FRUSTRATE EFFORTS TO ACHIEVE ANYTHING  
CONSTRUCTIVE AT MEETINGS HERE. MOREOVER, FAILURE  
OF THIS RESOLUTION WOULD RESULT IN MUCH STRONGER ACTION  
AGAINST ISRAEL PROBABLY HIGHLY DETRIMENTAL TO ITS CIVIL  
AVIATION. (B) REVIEW OF PREAMBLE INDICATES  
THAT IT CONFORMS TO THAT OF EITHER UNSC OR ICAO COUNCIL  
RESOLUTIONS AND WOULD, THEREFORE, APPEAR TO OFFER NO  
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SUBSTANTIAL PROBLEM. WE WOULD PREFER IN CONTINUATION  
OF PERSONAL CONVERSATIONS WITH HADDAD TO URGE DELETION  
OF THE WORD QTE STRONGLY UNQTE IN OPERATIVE  
PARA 1 AND SUBSTITUTION OF THW WORD QTE CONSIDER UNQTE  
FOR QTE TAKEN UNQTE IN OPERATIVE PARA 3. WE, OF  
COURSE, RECOGNIZE THAT HADDAD HIMSELF MAY HAVE EXTREMELY  
LIMITED FLEXIBILITY AND THAT THESE CHANGES MIGHT BE  
UNACCEPTABLE TO ARAB DELEGATIONS AS A WHOLE. (C)  
THIS DRAFT RESOLUTION SHOULD NOT REPEAT NOT AT THIS  
STAGE BE PASSED BY US TO ISRAEL SINCE IT WAS RECEIVED  
BY US IN CONFIDENCE AND KNOWLEDGE OF ITS CONTENTS MIGHT  
CAUSE ISRAELI DELEGATION TO BE LESS  
CONSTRUCTIVE IN STATEMENTS WHICH WE HAVE URGED THEM TO  
MAKE. VOLPE

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## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
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**Decaption Date:** 01 JAN 1960  
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**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Executive Order:** GS VOLPE  
**Errors:** N/A  
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**TAGS:** ETRN, PFOR, ICAO  
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